

Guidelines for Assessment Complaints

It is highly recommended that you review this document prior to submitting a complaint. This document does not replace the Rules of the Board of Review, but it does provide practical tips and explanations of the appeal process. The Board wants to help you be well prepared and informed. These guidelines are intended to help you understand the process and be successful in your presentation.

SUPPORTING EVIDENCE - ALL SUPPORTING EVIDENCE OR ADDITIONAL INFORMATION TO BE CONSIDERED BY THE BOARD OF REVIEW MUST BE SUBMITTED IN TRIPLICATE (EXCEPT PHOTOGRAPHS) AT THE TIME THE COMPLAINT IS FILED.

Examples of evidence include but are not limited to:

o *Settlement Statements, Sales Contract and/or Illinois Real Estate Transfer Declaration.*

These documents are most helpful on a recently purchased property. They must be signed by both buyer and seller, and the total sales price must be stated. All transactions must be an arms-length sale to be considered for "Market Value."

o ***Comparable Sales.*** If there are sales of similar properties in the same neighborhood, furnish evidence of these sale prices should be submitted. For example, square footage is approximately the same; a ranch is compared to a ranch, a two-story to a two-story, a bi-level to a bi-level, etc. All square footage is determined by outside measurement.

o *Comparable Assessment.* If there are similar properties in the same neighborhood that have been assessed lower, the evidence should include assessed valuations, addresses, and property index numbers. If a comparison of similar properties is used to claim a lack of equal treatment (equity), these comparisons should be included in the original complaint as evidence of the lack of equal treatment. They should be similar in type use, size, quality, age, construction, location, and market value as of January 1 of the assessment year.

o *Photographs.* These can be helpful in showing the style, condition, and any special factors of your property that should be brought to the Board's attention. Photographs of other similar properties may also be helpful for purposes of comparison. It is not necessary to submit photographs in triplicate; one original for each property is sufficient.

o *Appraisal or Legal Brief.* A current appraisal by a qualified appraiser can be most helpful. It must conform to the Uniform Standards of Professional Appraisal Practice (USPAP) to be considered.

o ***Income and Expense Statements.*** If the property is income producing, the taxpayer should furnish the income and expense statements of the prior three years as evidence of value to the Board of Review with the complaint form. The most appropriate evidence is the pertinent schedules of the taxpayer's federal income tax return.

Who should file a complaint?

Any taxpayer who believes the assessment on their property is incorrect may file a complaint with the Board of Review. Any taxing district that has an interest in the assessment of a parcel may also file a complaint.

It is strongly recommended that the taxpayer discuss his/her assessment with the Township Assessor prior to the filing of a complaint with the Board of Review. If, after talking with the township assessor, the taxpayer still wishes to pursue a formal complaint, he/she needs to familiarize themselves with the Rules governing hearings before the McLean County Board of Review. However, the 30-day time limit for filing from the date of publication will not be changed to allow for discussing the assessment with the assessor.

A formal complaint may be filed when it appears that:

1. The assessor's indication market value is higher or lower than actual market value.
2. The assessment is higher or lower than those of similar neighboring properties.
3. The assessment is based on inaccurate information in regard to property characteristics.
4. The assessed value is at a higher or lower percentage of market value for the property than the prevailing township or county median level, as shown in an assessment/sales ratio study.

HEARINGS BY THE BOARD OF REVIEW –

1. A personal appearance may be waived at the discretion of the Board of Review. The taxpayer or licensed attorney may schedule a conference telephone call - at the taxpayer's expense - at the original scheduled hearing time.
2. Taxpayers may represent themselves or be represented by a licensed attorney. Accountants, tax representatives, tax advisors, real estate appraisers, real estate consultants and others not qualified to practice law in the State of Illinois will not be permitted to file property assessment complaints or appear at hearings before the Board of Review in a representative capacity. However, such persons may testify at hearings before the Board and may assist parties and attorneys in preparation of cases for presentation by these parties and attorneys for the Board of Review at hearings.
3. The Township Assessor or a representative from that office may present evidence concerning the property and its assessment.
4. Whenever the taxpayer is requesting a reduction in assessed valuation of \$100,000 or more, the taxing districts affected by this request and/or their licensed attorneys will be notified and may appear at the hearing with questions.
5. If a taxpayer requests a reduction in assessed valuation of \$100,000 or more, it is required that the Board of Review office notify each taxing district affected by the complaint. It is, therefore, **REQUIRED THAT TAXPAYERS SUPPLY THEIR ESTIMATE OF CORRECT VALUE ON LINE 9 (a, b, c) OF THE COMPLAINT FORM.**
6. If a complaint deals with the land and the building(s) on one parcel number as separate issues, they are still to be filed on one complaint form. Even if a taxpayer states that his/her complaint is only on either the land or the building(s), the Board of Review will review the entire parcel, not just the objected part.
7. Complaints filed by two separate persons on one property will not be heard separately.

STATE OF ILLINOIS PROPERTY TAX ASSESSMENT LAW

1. All **non-farm** property is to be assessed at 1/3 of the fair market value and that like property be assessed in a like manner (equity).
2. All **farm home sites and farm residences** are to be assessed at 1/3 of the fair market value.
3. All **farm land** assessments are based on total agriculture use value as determined by the State Farmland Assessment Review Committee rather than fair market value. The McLean County Board of Review will review complaints of assessed values on farm residences, farm home site and farm buildings. **The Board of Review does not have the authority to adjust the certified farmland equalized assessed values received annually from the Illinois Department of Revenue as legislated by the Farmland Assessment Law passed in 1981.**
4. All **non-farm timberland** is covered by the Illinois Timberland Assessment Law passed in 2007 and is assessed as follows:
 - a. Timberland not on farm without an Illinois Department of Natural Resources forest management plan shall be assessed at 1/3 of the fair market value.
 - b. Timberland, prairie, wetland, and undeveloped land with passive management shall be assessed at 1/3 of the fair market value.
 - c. Timberland with an Illinois 10-year Conservation Stewardship Plan approved by the Illinois Department of Natural Resources shall be assessed at 5 percent of the fair market value.
 - d. Timberland with an approved 10-year Illinois Department of Natural Resources forest management plan shall be assessed at 1/6 of the agricultural land value. (Forest Development Act 1983)

FARM GUIDELINES

To be eligible for a farm assessment, tracts of land should:

- **Be five acres or more and have been in farm use for the preceding two years**
- **Be larger than the residential portion of the parcel**
- **Earn an annual farm gross income of \$1,000 or more. This qualifies as a farm to be reported to the U.S.D.A. Farm Census**
- **Have a Schedule F Form 1040 (Profit or Loss from Farming) filed by the owner with the Federal Income Tax Return annually**
- **Not include property that is primarily used for residential purposes even though some farm products may be grown or farm animals bred or fed on the property incidental to its primary use, and**
- **Meet the statutory use requirements of the farm definition of Section I-60 of the Property Tax Code.**